

PLEASE NOTE: THESE MINUTES HAVE NOT BEEN REVIEWED OR APPROVED BY THE BOARD OF VETERINARY MEDICINE & SURGERY

MINUTES OF THE CONFERENCE CALL MEETING  
OF THE  
BOARD OF VETERINARY MEDICINE AND SURGERY

January 29, 2010

ROLL CALL

The meeting of the Board of Veterinary Medicine and Surgery was called to order at 8:14 am by Chair David Ylander, DVM, in the Fifth Floor Conference Room C, Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska, and via teleconference call. Board members present and answering roll call were:

David Ylander, DVM, Chairperson  
Nanci Kyhn, LVT, Vice-Chairperson  
Gail Miller, MA, Secretary  
Don Cain, Jr, DVM  
James Unwin, DVM

A quorum being present, the meeting convened. Present to participate in the meeting were Julie Agena, Assistant Attorney General; Becky Wisell, Administrator; and Vicki Bumgarner, Health Licensing Coordinator, both from the Office of Medical and Specialized Health, Licensure Unit. Also present was Ted Evans, DVM, member of the Board of Health.

ADOPTION OF AGENDA

Cain moved, seconded by Kyhn, to adopt the agenda. Voting aye: Ylander, Kyhn, Miller, Cain, Unwin. Voting nay: none. Motion carried.

INVESTIGATIONAL REPORTS

Cain moved, seconded by Miller, to go into closed session for the purpose of hearing the investigational reports and other closed session items as identified on the agenda. Voting aye: Ylander, Kyhn, Miller, Cain, Unwin. Voting nay: none. Motion carried and the meeting went into closed session at 8:15 am.

APPLICATION REVIEW

Discussion continued in closed session.

The meeting returned to open session at 9:32 am.

APPLICATIONS FOR LICENSURE

Erin Okeson – application for a veterinary technician license. Kyhn moved, seconded by Unwin, to issue a license on probation for a period of two years. Conditions of probation to include completion of sixteen hours of continuing education each year of the probation, in addition to the usual requirements for continuing competency for renewal; completion of a jurisprudence examination within the first six months of probation; completion of a course in ethics of at least four hours duration as approved by the Board (may count toward the requirement of sixteen hours of continuing education,

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but not to include online courses); and submission of quarterly employer reports. Voting aye: Ylander, Kyhn, Miller, Cain, Unwin. Voting nay: none. Motion carried.

Elizabeth Maybach, DVM – application for a veterinarian license. Kyhn moved, seconded by Cain, to approve issuance of a license. Voting aye: Ylander, Kyhn, Miller, Cain, Unwin. Voting nay: none. Motion carried.

Richard Sambol, DVM – application for a veterinarian license. Miller moved, seconded by Unwin, to approve issuance of a license with the Department to assess an administrative penalty for unlicensed practice of veterinary medicine and surgery. Voting aye: Ylander, Kyhn, Miller, Cain, Unwin. Voting nay: none. Motion carried.

### APPROVAL OF MINUTES OF THE MEETINGS

For the minutes of the meeting for November 4, 2009, Board members made an addition to the second paragraph under the heading “continuing competency review” for clarification.

Cain moved, seconded by Unwin, to approve the minutes of the meeting for August 15, 2007; December 20, 2007; February 7, 2008; March 4, 2008; and November 4, 2009 with the correction as stated previously. Voting aye: Ylander, Kyhn, Miller, Cain, Unwin. Voting nay: none. Motion carried.

### LICENSED ANIMAL THERAPISTS REGULATIONS DEVELOPMENT – FORMATION OF COMMITTEES ON ADDITIONAL TRAINING REQUIREMENTS

The Board reviewed the list of individuals who expressed an interest in serving on one of the committees on additional training requirements for Licensed Animal Therapists and finalized the committee membership as follows:

#### **Massage Therapy**

Nanci Kyhn, LVT, Chair  
Suzanne Border  
Gerald Ruppert, DVM  
Keli Hupka  
Alternates: Kimberly Johnson, Debra Ruppert, DVM

#### **Acupuncture**

David Ylander, DVM, Chair  
James Unwin, DVM  
G. Barrett Littell, DVM  
Kelly Stich, DVM

#### **Chiropractic**

Don Cain, DVM, Chair  
Bruce Crabtree, DC  
James Hotz, DVM  
Mark Zink, DVM  
Alternate: Patrick McInteer, DVM

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**Physical Therapy**

Gail Miller, MA, Chair  
Kirk Peck, PhD  
Michelle Beck, DVM  
Megan Ehlers, DVM

Kyhn moved, seconded by Unwin, to approve the committees as stated. Voting aye: Ylander, Kyhn, Miller, Cain, Unwin. Voting nay: none. Motion carried.

Legislation 2010

The Board reviewed the following legislation:

LB 827 – a bill to provide requirements for prescription training for renewal of certain health practitioner licenses. Cain moved, seconded by Kyhn, to send a letter opposing the bill to the legislative committee because: 1) veterinarians do not prescribe for humans, and 2) not all veterinarians prescribe controlled substances or have a DEA registration. Voting aye: Ylander, Kyhn, Miller, Cain, Unwin. Voting nay: none. Motion carried.

LB 866 – a bill regarding dispensing practitioner permits. Cain stated that he is concerned about the exemption for manufacturers or wholesale drug distributors to distribute drug samples because of the risk of drug residues in food animals. The Board discussed the exemption included for a veterinarian dispensing drugs or devices within the scope of their profession. Cain moved, seconded by Unwin, to send a letter to the legislative committee supporting the exemption for veterinarians but oppose the section regarding exemption for manufacturers or wholesale drug distributors to distribute drug samples because of the risk of drug residues in food animals. Voting aye: Ylander, Kyhn, Miller, Cain, Unwin. Voting nay: none. Motion carried.

LB 702 – a bill to change provisions relating to a patient's access to medical records.

LB 812 – a bill to make changes in the Uniform Credentialing Act to the disciplinary process.

Ylander mentioned a bill termed the 'livestock welfare bill'.

SET DATE FOR NEXT MEETING

The date for the next meeting was set for April 27, 2010 at 8:30 am.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:26 am.

Respectfully submitted,

Gail Miller, MA, Secretary  
Board of Veterinary Medicine and Surgery